

Memo

**APPLICATION SERIAL NUMBER**

09/925,824

**DOES NOT COMPLY WITH THE  
SEQUENCE RULES. See reasons below.**

**References to sequences and sequences  
appear at page 8, column 13, page 14,  
column 25 to page 15, column 6 and at  
claims 3 and 6 for instance. No sequence  
listing has been provided and no  
computer readable disc has been  
provided.**

12/18/02



Sandals, William

To: Sandals, William

Subject: FW: Sequence Compliance Practice Memo\_1 page CL-BR1

# Memorandum

To: Technology Center 1600

CC: Office of Initial Patent Examination (OIPE)

From: Jasmine C. Chambers and John Doll, Directors, TC 1600

Date: 12/18/02

Re: Handling of Applications lacking full compliance with Sequence Rules (37 C.F.R. 1.821 *et seq.*)

The following modifications to current practice are to be followed when reviewing an application that is not in compliance with 37 C.F.R. §§ 1.821 *et seq.*

## MODIFICATION TO SEQUENCE COMPLIANCE PRACTICE

- 1) Applications filed under 35 U.S.C. § 111(a) or 35 U.S.C. § 371 filing date (sample attached, page 6) **before 29 November 2000** which do not comply with the sequence rules are to be treated as per current practice and include the following:
  - a) Applications not yet docketed to an examiner.
  - b) Applications docketed to an examiner (030 status).
  - c) Applications not complying with the sequence rules but which have already been examined or which have had an action (e.g., a restriction) should be brought into rules compliance via current practice ASAP.
- 2) New applications filed under 35 U.S.C. § 111(a) or under 35 U.S.C. § 371 filing date **on or after 29 November 2000** which do not comply with the sequence rules are to be returned to the appropriate Office Area and include the following:
  - a) Applications not yet docketed to an examiner.
  - b) Applications docketed to an examiner (030 status).

When an examiner first receives an application [RAW1], the specification and claims should be reviewed for sequence rule compliance. Applications with filing dates of **29 November 2000 or later**, that are not in compliance with the sequence rules set forth in 37 C.F.R. §§ 1.821 – 1.825 *et seq.*, should be returned to the SPE for status update and forwarding to as appropriate. Include the information shown on the sample sheets (pages 2 and 3).

- i) The SPE should take the 111(a) or 371 application to Deborah Dotson (CM1, 12<sup>th</sup> floor). The application will be unassigned and the status changed to "019" before sending case back to OIPE or PCT/DO/EO [RAW2].
- ii) The 111(a) utility application then will be forwarded by Deborah Dotson to OIPE using PALM transaction 1034-0380
- iii) The 371 application will be forwarded by Deborah Dotson to PCT/DO/EO in Crystal Plaza 2, 8<sup>th</sup> floor using PALM transaction 1034-5610.

**Note:** in rare instances where an application filed on or after 29 November 2000 has already had a significant amount of work invested, it should be brought to the attention of the SPE for a decision as to whether or not the application should be returned.

- 3) Chapter I PCT applications which do not comply with the sequence rules are to be returned to a TC1600 SPRE for compliance issues and handling of the application.

**Note:** Chapter II PCT applications are examined based upon the results of the Chapter I report. Accordingly, Chapter II PCT applications will not be required to comply with the sequence requirement.

12/18/02

# DEFICIENCIES CHECKLIST

**SerialNumber:** 09925824-01

**Name:** zeta adams

**Date:** 6/19/02

***TASK***

***DEFICIENCIES***

**Verify File**

**Oath/Declaration**

A foreign priority is not claimed.